

### **REMARKS/ARGUMENTS**

Claims 1 and 47-59 are currently pending in this application. No claims have been added, amended, or canceled in this response.

### **ELECTION OF SPECIES**

The Examiner has required an election of a single species for prosecution. Applicant wishes to thank the Examiner for the phone conference on August 29, 2003 to discuss this requirement. The Office Action states that “[c]laims 1, [and] 47-59 are generic to a plurality of disclosed patentably distinct species comprising therapeutic compound (claim 1, 47-59), specific lipid or phospholipids (claims 1, 48-50), gas or gaseous precursor (claims 1, 47), various types of oils (claims 1, 51-55), targeting ligand (claims 1, 58)” (Office Action at 2). Pursuant to 35 U.S.C. § 121, the Examiner has requested that Applicant select a single disclosed species.

It is Applicant’s understanding that this election is being made to aid the Examiner in conducting a search and examination of the claimed subject matter, and is not to be construed as limiting the scope of Applicant’s claims. It is also Applicant’s understanding that if the elected subject matter is found to be allowable over the prior art, the search and examination will be expanded to cover other species, until it includes the full scope of the generic claims.

Applicant hereby elects a species in which the lipid is a combination of at least one phosphatidylcholine, at least one phosphatidylethanolamine, and at least one phosphatidic acid (as recited in claim 49), the gas or gaseous precursor is perfluorocarbon gas (claim 47), and the oil is triacetin (claim 55) which has been selected from the subgenus of synthetic oils in claim 51.

The following claims read on the elected species: Claims 1, 47, 49-51, and 55.

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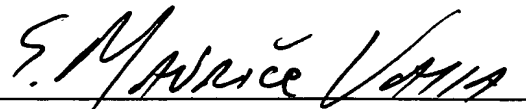
**PATENT**

**CONCLUSION**

Applicant believes that the foregoing constitutes a complete and full response to the Office Action of record. An early and favorable consideration of the present application is respectfully requested.

Respectfully submitted,

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